

(h) RELATIONSHIP TO OTHER SPECIAL PAYS.—The benefit authorized under this section is in addition to any other bonus or incentive or special pay that is paid or payable to a member under any other provision of this chapter for any portion of the same qualifying service.

(i) REGULATIONS.—This section shall be administered under regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction and by the Secretary of Homeland Security for the Coast Guard when the Coast Guard is not operating as a service in the Navy.

(Added Pub. L. 107–107, div. A, title VI, §622(a)(1), Dec. 28, 2001, 115 Stat. 1140; amended Pub. L. 107–296, title XVII, §1704(c), Nov. 25, 2002, 116 Stat. 2314.)

AMENDMENTS

2002—Subsec. (i). Pub. L. 107–296 substituted “of Homeland Security” for “of Transportation”.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective on the date of transfer of the Coast Guard to the Department of Homeland Security, see section 1704(g) of Pub. L. 107–296, set out as a note under section 101 of Title 10, Armed Forces.

EFFECTIVE DATE

Pub. L. 107–107, div. A, title VI, §622(b), Dec. 28, 2001, 115 Stat. 1142, provided that: “Section 325 of title 37, United States Code, as added by subsection (a), shall apply with respect to reenlistments and other agreements for qualifying service, as described in that section, that are entered into on or after October 1, 2001.”

§ 326. Incentive bonus: conversion to military occupational specialty to ease personnel shortage

(a) INCENTIVE BONUS AUTHORIZED.—The Secretary concerned may pay a bonus under this section to an eligible member of the armed forces who executes a written agreement to convert to, and serve for a period of not less than three years in, a military occupational specialty for which there is a shortage of trained and qualified personnel.

(b) ELIGIBLE MEMBERS.—A member is eligible to enter into an agreement under subsection (a) if—

- (1) the member is entitled to basic pay; and
- (2) at the time the agreement is executed, the member is serving in—

(A) pay grade E–6, with not more than 10 years of service computed under section 205 of this title; or

(B) pay grade E–5 or below, regardless of years of service.

(c) AMOUNT AND PAYMENT OF BONUS.—(1) A bonus under this section may not exceed \$4,000.

(2) A bonus payable under this section shall be disbursed in one lump sum when the member's conversion to the military occupational specialty is approved by the chief personnel officer of the member's armed force.

(d) RELATIONSHIP TO OTHER PAY AND ALLOWANCES.—A bonus paid to a member under this section is in addition to any other pay and allowances to which the member is entitled.

(e) REPAYMENT OF BONUS.—(1) A member who receives a bonus under this section and who, vol-

untarily or because of misconduct, fails to serve in such military occupational specialty for the period specified in the agreement executed under subsection (a) shall refund to the United States an amount that bears the same ratio to the bonus amount paid to the member as the unserved part of such period bears to the total period agreed to be served.

(2) An obligation to reimburse the United States imposed under paragraph (1) is, for all purposes, a debt owed to the United States.

(3) A discharge in bankruptcy under title 11 that is entered less than five years after the termination of the agreement for which a bonus was paid under this section shall not discharge the person signing such agreement from the debt arising under paragraph (1).

(4) Under regulations prescribed pursuant to subsection (f), the Secretary concerned may waive, in whole or in part, a refund required under paragraph (1) if the Secretary determines that recovery would be against equity and good conscience or would be contrary to the best interests of the United States.

(f) REGULATIONS.—The Secretaries concerned shall prescribe regulations to carry out this section. Regulations prescribed by the Secretary of a military department shall be subject to the approval of the Secretary of Defense.

(g) TERMINATION OF AUTHORITY.—No agreement under this section may be entered into after December 31, 2006.

(Added Pub. L. 108–136, div. A, title VI, §625(a), Nov. 24, 2003, 117 Stat. 1506.)

CHAPTER 7—ALLOWANCES

Sec.	Definitions.
401.	Basic allowance for subsistence.
402.	Supplemental subsistence allowance for low-income members with dependents.
402a.	Basic allowance for housing.
403.	Repealed.]
[403a.	Cost-of-living allowance in the continental United States.
403b.	Travel and transportation allowances: general.
404.	Travel and transportation allowances: temporary lodging expenses.
404a.	Travel and transportation allowances: lodging expenses at temporary duty location for members on authorized leave.
404b.	Travel and transportation allowances: per diem while on duty outside the United States or in Hawaii or Alaska.
405.	Travel and transportation allowances: departure allowances.
405a.	Travel and transportation allowances: dependents; baggage and household effects.
406.	Travel and transportation allowances: authorized for travel performed under orders that are canceled, revoked, or modified.
406a.	Travel and transportation allowances: members of the uniformed services attached to a ship overhauling or inactivating.
406b.	Travel and transportation allowances: members assigned to a vessel under construction.
406c.	Travel and transportation allowances: dislocation allowances. ¹
407.	Travel and transportation allowances: travel within limits of duty station.
408.	

¹ So in original. Does not conform to section catchline.